

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

NUCLEAR DEVELOPMENT, LLC,	§	
	§	
Plaintiff,	§	
	§	CIVIL ACTION CASE NUMBER:
vs.	§	
	§	5:18-cv-01983-LCB
TENNESSEE VALLEY AUTHORITY,	§	
	§	
Defendant.	§	

**MOTION FOR SUMMARY JUDGMENT**

Plaintiff Nuclear Development, LLC (“ND”) moves the Court, pursuant to Rule 56 of the *Federal Rules of Civil Procedure*, to enter summary judgment in its favor on Count One of Plaintiff’s Complaint because there is no genuine issue as to any material fact, and ND is entitled to judgment as a matter of law. If the Court grants ND’s Motion, the other counts of the Complaint are moot, and the case will be fully resolved.

This Motion is supported by Plaintiff’s Brief in Support of Motion for Summary Judgment and the Evidentiary Submissions filed simultaneously with this Motion.

Respectfully submitted,

/s/ Caine O’Rear III

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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I hereby certify that on September 23, 2020, a true and correct copy of the foregoing was filed electronically with the Clerk of the Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record:

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/s/ Caine O'Rear III